

103D CONGRESS
1ST SESSION

S. 653

To prohibit the transfer or possession of semiautomatic assault weapons,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 25 (legislative day, MARCH 3), 1993

Mr. METZENBAUM (for himself, Mrs. FEINSTEIN, Mrs. BOXER, Mr. WELLSTONE, Ms. MOSELEY-BRAUN, Mr. KENNEDY, Ms. MIKULSKI, Mrs. MURRAY, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the transfer or possession of semiautomatic
assault weapons, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Semiautomatic Assault
5 Weapon Violence Prevention Act of 1993”.

6 **SEC. 2. PROHIBITION OF SEMIAUTOMATIC ASSAULT WEAP-**
7 **ONS.**

8 (a) DEFINITIONS.—Section 921(a) of title 18, United
9 States Code, is amended—

1 (1) in paragraph (28) by striking “‘semiauto-
2 matic rifle’ means any repeating rifle” and inserting
3 “‘semiautomatic firearm’ means a repeating fire-
4 arm”; and

5 (2) by adding at the end the following new
6 paragraph:

7 “(29) The term ‘semiautomatic assault weapon’—

8 “(A) means—

9 “(i) any of the semiautomatic firearms
10 known as—

11 “(I) A.A. Arms AP-9;

12 “(II) Auto-Ordnance Thompson;

13 “(III) Barrett Light-Fifty;

14 “(IV) Beretta AR-70;

15 “(V) Bushmaster Auto Rifle;

16 “(VI) Calico M-900 and M-950;

17 “(VII) Cobray, Ingram and RPB
18 MAC-10 and MAC-11;

19 “(VIII) Colt AR-15 and Sporter;

20 “(IX) Encom MP-9 and MP-45;

21 “(X) Fabrique Nationale FN/FAL,
22 FN/LAR, and FNC;

23 “(XI) Feather AT-9;

24 “(XII) Federal XP900 and XP450;

25 “(XIII) Franchi SPAS-12;

1 “(XIV) Intratec TEC–9 and TEC–22;

2 “(XV) Israeli Military Industries UZI

3 and Galil;

4 “(XVI) Iver Johnson Enforcer 3000;

5 “(XVII) Norinco, Mitchell and Poly

6 Technologies Avtomat Kalashnikovs;

7 “(XVIII) Steyr AUG; or

8 “(XIX) USAS–12;

9 “(ii) a revolving-cylinder shotgun such as

10 or similar to the Street Sweeper or Striker 12;

11 and

12 “(iii) a semiautomatic firearm designated

13 by the Secretary as a semiautomatic assault

14 weapon under section 931; and

15 “(B) does not include (among other firearms)—

16 “(i) any of the firearms known as—

17 “(I) Remington Model 1100 shotgun;

18 “(II) Remington Model 7400 rifle;

19 “(III) Mossberg Model 5500 shotgun;

20 “(IV) HK Model 300 rifle;

21 “(V) Marlin Model 9 camp carbine;

22 “(VI) Browning High-Power rifle; or

23 “(VII) Remington Nylon 66 auto

24 loading rifle;

1 “(ii) a firearm that is a manually operated
2 bolt action firearm;

3 “(iii) a lever action firearm;

4 “(iv) a slide action firearm; or

5 “(v) a firearm that has been rendered per-
6 manently inoperable.”.

7 (b) PROHIBITION.—Section 922 of title 18, United
8 States Code, is amended by adding at the end the follow-
9 ing new subsection:

10 “(s)(1) Except as provided in paragraph (2), it shall
11 be unlawful for a person to transfer or possess a semiauto-
12 matic assault weapon.

13 “(2) This subsection does not apply with respect to—

14 “(A) a transfer to or by, or possession by or
15 under the authority of the United States or a de-
16 partment or agency of the United States or a State
17 or a department, agency, or political subdivision of
18 a State;

19 “(B) a lawful transfer or lawful possession of a
20 semiautomatic assault weapon that was lawfully pos-
21 sessed before the effective date of this subsection or,
22 in the case of a semiautomatic firearm that the Sec-
23 retary designates as a semiautomatic assault weapon
24 pursuant to section 931, before the date on which
25 the designation is made; or

1 “(C) the transfer or possession of a semiauto-
2 matic assault weapon by a licensed manufacturer or
3 licensed importer for the purposes of testing or ex-
4 perimentation authorized by the Secretary.”.

5 (c) DESIGNATION OF SEMIAUTOMATIC ASSAULT
6 WEAPONS.—

7 (1) IN GENERAL.—Chapter 44 of title 18, Unit-
8 ed States Code, is amended by adding at the end the
9 following new section:

10 **“§ 931. Designation of semiautomatic assault weapons**

11 “(a) IN GENERAL.—Not later than 180 days after
12 the date of enactment of this section, and annually there-
13 after, the Secretary, in consultation with the Attorney
14 General, shall determine whether any other semiautomatic
15 firearm (other than a firearm described in section
16 921(a)(29)(B)) should be designated as a semiautomatic
17 assault weapon in addition to those previously designated
18 by section 921(a)(29)(A) or by the Secretary under this
19 section.

20 “(b) CRITERIA.—(1) The Secretary shall by regula-
21 tion designate as a semiautomatic assault weapon a rifle,
22 pistol, or shotgun that is a semiautomatic firearm and
23 that is described in paragraph (2), (3), (4), or (5).

1 “(2) A replica or duplicate in any caliber of a semi-
2 automatic firearm described in section 921(a)(29)(A)(i) is
3 a semiautomatic assault weapon.

4 “(3) A rifle that is a semiautomatic firearm is a semi-
5 automatic assault weapon if it—

6 “(A) is not generally recognized as being par-
7 ticularly suitable for or readily adaptable to sporting
8 purposes;

9 “(B) has an ability to accept a detachable mag-
10 azine; and

11 “(C) has at least 2 of the following characteris-
12 tics:

13 “(i) A folding or telescoping stock.

14 “(ii) A pistol grip that protrudes conspicu-
15 ously beneath the action of the weapon.

16 “(iii) A bayonet mount.

17 “(iv) A flash suppressor or threaded barrel
18 designed to accommodate a flash suppressor.

19 “(v) A grenade launcher.

20 “(4) A pistol that is a semiautomatic firearm is a
21 semiautomatic assault weapon if it—

22 “(A) is not generally recognized as being par-
23 ticularly suitable for or adaptable to sporting pur-
24 poses; and

1 “(B) has an ability to accept a detachable mag-
2 azine; and

3 “(C) has at least 2 of the following characteris-
4 tics:

5 “(i) An ammunition magazine that at-
6 taches to the pistol outside of the pistol grip.

7 “(ii) A threaded barrel capable of accept-
8 ing a barrel extender, flash suppressor, forward
9 hand grip, or silencer.

10 “(iii) A shroud that is attached to or par-
11 tially or completely encircles the barrel and that
12 permits the shooter to hold the firearm with the
13 second hand without being burned.

14 “(iv) A manufactured weight of 50 ounces
15 or more when the pistol is unloaded.

16 “(v) A semiautomatic version of an auto-
17 matic firearm.

18 “(5) A shotgun that is a semiautomatic firearm is
19 a semiautomatic assault weapon if it—

20 “(A) is not generally recognized as being par-
21 ticularly suitable for or adaptable to sporting pur-
22 poses; and

23 “(B) has at least 2 of the following characteris-
24 tics:

25 “(i) A folding or telescoping stock.

3 “(iii) A fixed magazine capacity in excess
4 of 6 rounds.

5 “(iv) An ability to accept a detachable
6 magazine.”.

(2) TECHNICAL AMENDMENT.—The chapter analysis for chapter 44 of title 18, United States Code, is amended by adding at the end the following new item:

(d) PENALTIES.—Section 924(a)(1)(B) of title 18, United States Code, is amended by striking “or 922(q)” and inserting “922 (q), (r), or (s)”.

(e) IDENTIFICATION MARKINGS FOR SEMIAUTOMATIC ASSAULT WEAPONS.—Section 923(i) of title 18, United States Code, is amended by adding at the end the following new sentence: “The serial number of a semiautomatic assault weapon shall clearly show if the weapon was manufactured or imported after the effective date of this sentence.”.

21 **SEC. 3. PROHIBITION OF LARGE CAPACITY AMMUNITION**
22 **FEEDING DEVICES.**

(a) PROHIBITION.—Section 922 of title 18, United States Code, as amended by section 2, is amended by adding at the end the following new subsection:

1 “(t)(1) Except as provided in paragraph (2), it shall
2 be unlawful for a person to transfer or possess a large
3 capacity ammunition feeding device.

4 “(2) This subsection does not apply with respect to—

5 “(A) a transfer to or by, or possession by or
6 under the authority of, the United States or any de-
7 partment or agency of the United States or a State,
8 or a department, agency, or political subdivision of
9 a State;

10 “(B) a lawful transfer or lawful possession of a
11 large capacity ammunition feeding device that was
12 lawfully possessed before the effective date of this
13 subsection other than a transfer by a licensed dealer;
14 or

15 “(C) the transfer or possession of a large ca-
16 pacity ammunition feeding device by a licensed man-
17 ufacturer or licensed importer for the purposes of
18 testing or experimentation authorized by the Sec-
19 retary.”.

20 (b) LARGE CAPACITY AMMUNITION FEEDING DE-
21 VICE DEFINED.—Section 921(a) of title 18, United States
22 Code, as amended by section 2, is amended by adding at
23 the end the following new paragraph:

24 “(30) The term ‘large capacity ammunition feeding
25 device’—

1 “(A) means—

2 “(i) a magazine, belt, drum, feed strip, or
3 similar device that has a capacity of, or that
4 can be readily restored or converted to accept,
5 more than 10 rounds of ammunition; and

6 “(ii) any combination of parts from which
7 a device described in clause (i) can be assem-
8 bled, but

9 “(B) does not include an attached tubular de-
10 vice designed to accept and capable of operating only
11 with .22 caliber rimfire ammunition.”.

12 (c) LARGE CAPACITY AMMUNITION FEEDING DE-
13 VICES DEFINED AND TREATED AS FIREARMS.—Section
14 921(a)(3) of title 18, United States Code, is amended in
15 the first sentence—

16 (1) by striking “or”; and

17 (2) by striking “device.” and inserting “, or (E)
18 any large capacity ammunition feeding device.”.

19 (d) PENALTY.—Section 924(a)(1)(B) of title 18,
20 United States Code, as amended by section 2(d), is
21 amended by striking “or (s)” and inserting “(s), or (t)”.

22 (e) IDENTIFICATION MARKINGS FOR LARGE CAPAC-
23 ITY AMMUNITION FEEDING DEVICES.—Section 923(i) of
24 title 18, United States Code, is amended by adding at the
25 end the following new sentence: “A large capacity ammu-

1 nition feeding device shall be identified by a serial number
2 that clearly shows the device was manufactured or im-
3 ported after the effective date of this subsection, and such
4 other identification as the Secretary may by regulations
5 prescribe.”.

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